

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Timothy Chelstrom,

Civil No. 06-1059 (RHK/SRN)

Petitioner,

**ORDER**

v.

Jo Anne B. Barnhart,  
Commissioner of Social Security,

Respondent.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated January 3, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

**IT IS HEREBY ORDERED:**

1. The Report and Recommendation (Doc. No. 12) is **ADOPTED**;
2. Plaintiff's Motion for Summary Judgment (Doc. No. 5) is **DENIED**; and
3. Defendant's Motion for Summary Judgment (Doc. No. 8) is **GRANTED**.

Dated: January 25, 2007

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge